

### REMARKS

Claims 1-14 and 20-21 are pending in the instant application. Applicants have canceled Claims 1-5, 8, 10-12, and 14-22 in the instant application, currently amended claims 6 and 13 and have added new Claim 23. WHEREIN, Claims 6-7, 9, 13 and 23 remain to be examined. No new matter has been added. No additional claims fee is believed to be due. Applicants reserve the right to prosecute the originally filed claims in the future.

Applicants have amended the specification to include a structural formula in the abstract of the disclosure.

Examiner has rejected Claims 1-5, 8, 10-12, 14 and 20-21 under 35 USC 112, second paragraph, as being indefinite. While the Applicant disagrees with the Examiners assertion, in order to expedite prosecution, Applicants have canceled Claims 1-5, 8, 10-12, 14 and 20-21.

Applicants have added new Claim 23. The tricyclic core of Formula A has been limited as described in the specification on page 37 (line 5) and on page 38 (line 1). The R1 substituent has been limited as described in the specification on page 41 (line 7). The R2 substituent has been limited as described in the specification on page 41 (lines 8 and 9). The R3 and R4 substituents have been limited as described in the specification on page 42 (line 2). The Q variable has been limited as described in the specification of page 42 (lines 6-8). Applicants have removed the "optional" substituents for benzyl in Rb as noted by the Examiner. Applicants contend that new Claim 23 meets the requirements of 35 USC 112, second paragraph, and respectfully request allowance of the Claim.

Examiner has rejected Claims 1-5, 8, 10-14 and 20-21 under 35 USC 112, first paragraph, based on enablement. While the Applicant disagrees with the Examiners assertion, in order to expedite prosecution, Applicants have canceled Claims 1-5, 8, 10-12, 14 and 20-21.

Applicants have added new Claim 23. Support for Claim 23 is noted above. Applicants believe the limitations to the tricyclic core and limitations to the various substituents and variables are supported by the Synopsis of Reaction Schemes I-III, found in the specification starting on page 66 and also supported by the various compounds made and described as shown in the Examples and Tables starting on page 69 of the specification. Applicants contend that new Claim 23 meets the requirements of 35 USC 112, first paragraph, and respectfully request allowance of the Claim.

With respect to method Claim 13, Applicants have currently amended Claim 13 to recite the specific cancers: ovarian, breast and prostate; as specifically disclosed in Nakatani and Bellacosa. Support for this amendment can be found in the specification on page 2, lines 5-10. Accordingly, Applicants respectfully request that the rejection to Claim 13 be withdrawn.

Examiner has rejected Claims 1-14 and 20-21 under 35 USC 102(e) as being anticipated by WO'473. Applicants contend that this reference is not 102(e) prior art. The WO'473 reference was not filed "before" the instant application by Applicant. The subject matter, including individual species, for both WO'473 and the instant application were filed together provisionally on April 8, 2002 and October 9, 2002. Further, both the WO'473 reference and the instant application were PCT filed together on April 4, 2003. Applicants respectfully request that the rejection under 35 USC 102(e) be withdrawn.

Applicants respectfully contend that the Examiner's rejections are now moot, and that Claims 6-7, 9, 13 and 23 are allowable, and an early Notice of Allowance is earnestly solicited. If a telephonic communication with Applicant's representative will aid in the advancement of the prosecution of this application, please telephone the representative indicated below.

Respectfully submitted,

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